

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**In Re:**

**AREDIA® AND ZOMETA® PRODUCTS  
LIABILITY LITIGATION**

**(MDL No. 1760)**

**This Document Relates to:  
(ALL CASES)**

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**No. 3:06-MD-1760**

**Judge Campbell/Brown**

**ORDER**

Failure to respond to Interrogatory 1 or 4, depending on when the interrogatories were served, has been a recurring problem in some quarters. The purpose of this order is to clarify the court's stated position on this issue for all concerned. Specifically, if plaintiff's "fail to timely produce the ordered discovery, their medical damages evidence will be precluded." (DE 6799 at p. 3)

In all cases where Novartis has requested medical expenses, plaintiffs shall comply with those requests as required under Rule 26, Fed. R. Civ. P. In those instances where plaintiffs have failed to respond to Novartis's request, those plaintiffs shall comply with the requests not later than September 20, 2013. Thereafter, plaintiffs shall supplement those medical expenses every ninety (90) days. Absent good cause shown, failure to provide medical expenses as instructed above will preclude plaintiffs from seeking damages for those medical expenses not submitted.

It is so **ORDERED**.

**ENTERED** this 5<sup>th</sup> day of September, 2013.

/s/Joe B. Brown  
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Joe B. Brown  
United States Magistrate Judge